

SECTION IV ATTACHMENTS

**Summary of Results of Various meetings with
IVC/victims and CLIA**

**Meetings between ICV Members and CLIA to
discuss Reform and ICV/Victims
Recommendations**

July 26, 2007

August 13, 2007


November 19, 2007

April 18, 2008

COMPOSITE SUMMARY OF RECOMMENDATIONS

Part I Background Checks

Based on court records for a major cruise line covering the period of 2003-2005 it has been determined that approximately 80 percent of the alleged offenders in reported incidents were shipboard employees of the cruise industry.

-  Create a MAIN database for reporting all terminated individuals/employees, ensuring that the same employee(s) will not be rehired by another cruise line.






Note: Discussed during first ICV Meeting with CLIA but CLIA quoted privacy concerns.

-  Tighter security checks and screening of all employees.

Note: Discussed during first CLIA Work Group in September but does not appear to be fully comprehensive concerning checks for cabin attendants, security personnel, medical personnel, personnel employed in any role within the children's activities e.g. staff, cleaners, in cabin baby sitters. The feedback that CLIA provided in the September Meeting focused on "Conduct Background checks on crew who have access to guests and their cabins". This document did not explain if this is all crew having access to guests (not only their cabins) e.g. working in passenger public areas and how these checks are conducted e.g. are these further checks in addition to their normal employment hiring processes?

Part II International Police/US Marshals

Since cruise ships take the legal position that they don't investigate crimes and the FBI indicates that they do not have the resources, it is proposed that International Police/US Marshals be added to all cruise ships.

-  Such authority should not be affiliated with the cruise line or its crew.
-  U.S. Marshals to be present on cruise ships.
-  When a crime is not reported to the appropriate authorities by the cruise lines, and in a timely manner, substantial fines should be imposed.
-  All crimes must be made public - Not voluntarily, but mandatory.
-  Require protocol for filing any form of incident and to be immediately processed through specific channels.

- Hold cruise lines accountable for the safety of future passengers and crew members and to require prompt and accurate reports to authorities of crimes, deaths, disappearances and other matters that would normally be investigated if they had occurred on land.
- Criminal cases that occur on a cruise line must be properly handled resulting in the prosecuting of those who commit such crimes.

Note. While the industry has entered into a Voluntary Reporting Agreement with the FBI and US CG, there remains no form of verification that all reported crimes are being handled properly.

- An independent investigative organization will ensure that there is no 'conflict of interest' between the cruise line and the victims.
- With the added concern of terrorism, additional security is necessary to protect passengers and crewmembers.

Part III
Security – Crime Scenes and Victim Support

The skill levels of the onboard security responders must be improved and standardized not only with regard to their ability to investigate an incident but also to protect evidence including crime scenes from accidental or deliberate contamination.

- Roping off/securing the crime scene
- Securing surveillance videos
- Taking pictures of the crime scene
- Avoiding physical handling of evidence
- Properly bagging and securing such evidence
- Immediately interviewing and obtaining names of witnesses
- Documenting statements and details from witnesses
- Recording time frames for each step of the investigation
- Requiring a sign-off for each step
- Distributing photos of missing passengers (Recent photos, not video)

Note: During at least one incident recently, ICV and the public was aware that photographs have been used but the Item has had no response from CLIA and we have no way of knowing if this is an Industry Standard. It should be noted though that CLIA has made no comment on this Item during any meetings.

- Inspecting all cabins and all compartments throughout the ship
- Contacting authorities immediately (Coast Guard, FBI, etc.)

Note: The Industry has entered into a Voluntary Agreement with the FBI and US CG but according to a recent testimony on behalf of Jane Doe, there was a delay in notifying the FBI.

Again, there appears to be no way of verifying the time delay between initial discovery and notification of the FBI and US CG. The Voluntary Agreement also has no consequences if there is a delay in notification. During the September meeting CLIA stated that they notify the FBI immediately of crimes reported from shore excursions and yet a written statement sent by one cruise line to a victim of an incident on shore was told that the Zero Tolerance Policy of the company did not include incidents that occurred on shore excursions.

Part IV Structural and Onboard Safety System Enhancements

Review the structure of guardrails, external fittings and other structural changes to reduce further the risk of accidents that might lead to a person falling overboard.

- Higher glass walls
- Other design changes

Part V Video/Surveillance Cameras and Proper Upper Deck Lighting

Strategically place cameras in all areas, where passengers may frequent, i.e. decks, outside railings, non-glass elevators, hallways etc.

- Upgrade existing surveillance systems and increase the number of cameras.

Note. During the September meeting, CLIA indicated that they had installed enhance CCTV coverage onboard ships. However, it is not known if this has been an industry enhancement and if it took consideration of any risk assessment based on the location of incidents onboard the vessels e.g. statistics from one cruise line suggest that the high risk area is the passenger cabins and therefore, it would be logical to include the risk location in the decision making process concerning camera location. An incident that occurred on one ship this year, again, highlighted that this weakness e.g. lack of cameras protecting passenger accommodation is still not being addressed.

- Strategically place cameras in all areas, where passengers may frequent, i.e. decks, outside railings, non-glass elevators, hallways etc. Motion activated systems should be considered to reduce the amount of recording capability required to support so many cameras.
- Monitor system and cameras 24/7 by trained personnel.
- Ensure and install proper lighting for image quality.
- Require daily inspections and monitoring to ensure proper functionality and recording.

Part VI
Access Control/Security Bracelets

Utilize new technology to assist in locating a missing person and during a major emergency to help quickly account for all persons onboard.

- ✘** Distribute bracelets designed to include microchips to be worn by ALL Minors and initially offered to ANY passenger on a voluntary basis throughout the entire cruise (onshore & offshore).

Note. During first meeting with CLIA, they indicated that research was ongoing but the focus appears to be use of a RFID within the passenger or crew identification card, however, this will likely result in less than 100 percent coverage since a person might lose their card or forget to carry it with them. A bracelet would be a more logical choice,

- ✘** Bracelet should bear the name of the ship and identify each passenger; thus, if an individual is missing, falls overboard, etc., their location will be detected.

Part VII
Missing or Overboard Passengers

Improve methods concerning the discovery, reporting, searching and investigation concerning a missing person or overboard passenger.

- ✘** When a passenger is reported missing/overboard, the ship must stop immediately and complete a search.
- ✘** Rail alarms to go off if an individual should go overboard; alarm response must include automatic release of life-rings from the Bridge, drop additional flotation devices, manning of the Fast Rescue Boat, marking the GPS Plot with the position of the vessel at the time of the Man Overboard Report.

Impose noise restrictions throughout the vessel to ensure an environment that might assist hearing a person in the water.

Station 24/7 lifeguards on each side of the ship's decks.

Require a full accounting of the number of passengers who board vs. exit including final port of disembarkation. Ensure that an Officer is named by position in the Security Manual for ensuring that this process is conducted and subject to verification.

Note. During the CLIA meeting in September this indicated as being in place (although no mention was made concerning the Verification Process). It should be noted that on one of the many Passenger Message Boards on the Internet, at least five reports earlier this year indicated that despite one company stating to Congress the introduction of this enhancement to their system, that same company's ships were not using the system as described and on those cases no checks were apparently conducted.

Require an entry in the ship's log in the final port of disembarkation to specify that ALL passengers were verified as having left the vessel.

Part VIII Medical Care – Rape Kits/Rape Reporting/Medical Emergencies

The cruise lines must assume responsibility for medical care.

Rape kits MUST BE available on all ships and USED.

Note: The CLIA indicates that REK are available onboard but it would appear that Kit is not automatically used by the medical personnel as an industry standard.

No requests should be refused or taken lightly.

Written documentation to be provided, signed, and issued to the patient.

Part IX Excursions – Sold and Promoted

✘ Cruise lines must assume responsibility for excursions and be held accountable for the safety of their passengers who purchase such excursions through them.

✘ Weather conditions should be verified, prior to allowing passengers to depart on excursions, such as sightseeing tours, scuba diving adventures, water-skiing etc.

✘ Since the cruise lines select and promote various excursions, they should be held accountable for the safety of their passengers, who purchase such excursions through them.

Note. During the September meeting CLIA indicated "Visit Excursion location and confirm that the activity is safe". This seems to suggest only one location as opposed to ALL shore excursions that the member cruise lines utilize and advertise on their vessels to the passengers.

Part X Fire Prevention and Emergency Procedures

Cruise ships must take major efforts to improve fire prevention and emergency procedures.

✘ Smoking needs to be banned or restricted to certain areas of the vessel and this must be enforced.

Note. During the September meeting CLIA indicated that this item was in progress or completed. We understand that this is still in progress and one cruise line is in fact surveying their passenger's concerning changes in their smoking policies, and so, overall this is not yet complete but it is progress.

✘ Emergency Escape Breathing Devices (EEBD) must be available to all passengers and not only crew members.

✘ Fire and security training should be conducted regularly and realistically.

Note. During the September meeting, CLIA indicated that fire safety instructions were being included in the initial muster drill. At present, we have no way of verifying this and hope that at the next meeting they will provide us with the documentation to confirm this process throughout all CLIA members. They also stated that they provide regular fire and security training.

✘ Fire safety instructions, including fire prevention, should be posted on the back of each door in each cabin.

Part XI
Alcohol Abuse – Service to Passengers and Crew

The sale and distribution of alcohol must be better controlled on cruise ships because of the number of tragic incidents traced to alcohol abuse.

- The appropriate laws of the Flag state with regards to alcohol consumption must be published on all travel documentation, cruise line Internet websites and prominently displayed within all bars onboard a vessel.
- The cruise line company's crew education (and not only that of bar staff) must include the applicable laws and age criteria, including the fact that to deliberately deviate from the laws is a criminal act e.g. provide or sell alcohol to a minor and as such will be reported promptly to the Flag State, Port State (if applicable) and law enforcement.
- Reservation system must identify all minors at the time of booking.
- Onboard revenue systems must be keyed to reflect the any levels of age coding.
- System should also be capable of raising an alarm when excessive alcohol is determined.
- When an alarm is registered e.g. service is stopped, a bar supervisor informed to respond and investigate and consideration may be given to ceasing service to the person's traveling companions to prevent them from providing alcohol to the person.

Note. During the September meeting, CLIA indicated they are responding to the Recommendation Quote Limit Alcohol Servings and train employees to recognize signs of intoxication and respond appropriately including cutting off the SeaPass Account Unquote. (SeaPass is the terminology used within RCCL). However, it is not known if the system has electronic red flags or relies on the bar staff.

- The identification and age should also be verified.
- The cruise lines' company policies will not promote or permit any company sanctioned alcohol related "party games" either onboard or onshore within a private island facility.

Part XII

The Law, Law Enforcement Responses and Reporting

More timely reporting of crimes must be made by the cruise lines.

- Cruise ship attorneys should not be permitted to investigate crimes which are required to be reported to the FBI and the US Coast Guard.
- The FBI must be encouraged to include cruise ship reports in their annual report.
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- Creation of a Cruise Ship Passenger's Bill of Rights, which should be provided to each passenger before they board a vessel.

Part XIII

US Congress Intervention and Cruise Line's Accountability

Since the voluntary approach taken by the cruise lines has not been effective, laws need to be put in place to assure that cruise lines are held accountable.

- Legislation must be changed to hold cruise lines accountable for the safety of U.S. Citizens. Maritime Law was intended to protect countries and jurisdictions during wartime and boundaries of these countries. It was NEVER the intent for individual cruise line companies to hide under this Law and not be held accountable.
- Establish more serious consequences for those who engage in foul play as well as for those who condone it or dismiss it, including cruise ship companies.



International Cruise Victims Association, Inc.

April 23, 2008

Chairman Elijah Cummings
Subcommittee on Coast Guard
And Maritime Transportation
2235 Rayburn Building
Washington, DC 20515

Dear Chairman Cummings:

This past week I traveled to Miami to attend another CLIA meeting with victims. In addition to me, three other members of the board of ICV also attended this meeting. They included Jamie Barnett, Sarah Alexandra, and Lynnette Hudson. In total, there were nine individuals or families represented at this meeting.

This was the third time that I have personally met with CLIA executives and members of the cruise line industry to discuss proposals for change. While these meetings have been designed to give the impression that the industry is willing to discuss change, I have sadly come to the conclusion that the cruise line industry will not commit to any changes.

Without going into a detailed analysis of all the various points that were discussed, I would like to make a brief summary of my personal conclusions.

1. When asked directly the question of what CLIA could commit the industry to doing, the answer was they cannot speak for the various companies and what their commitment is in making changes.
2. The question was then asked would these individual cruise lines agree to prepare a spreadsheet showing the commitment to the various proposals by the individual members. While the verbal answer from a couple of cruise ship representatives was that they agreed to some proposals in the CLIA material, at this meeting they absolutely refused to agree to anything in writing so that

we can clearly determine what their actual commitment was to various changes.

3. In addition, they clearly were not willing to agree to any penalty if they did not follow any agreed-upon new procedure.

In the September hearing that you chaired, you requested that the cruise lines indicate in writing by December 19th what changes they were willing to agree to make to improve the safety of U.S. citizens on their ships. Our conclusion of their report to you was that they really did not agree to make any type of commitment.

No one has tried harder than the ICV members to get the cruise line industry to voluntarily change their practices and commit to positive changes. As a result, it appears that legislation is the only alternative. U.S. citizens need to be protected on a cruise ship the same as they would be if they went to a resort in the United States.

For your review, I am attaching two letters from police departments in Anaheim, California and Paradise Valley, Arizona. As you'll see in these letters, when crimes occur at any location, the local independent police are called to investigate and take the appropriate steps to resolve the crime. In addition, a report is then made which becomes publicly available. It is hard to understand why cruise ships should not have the same requirements for an independent investigation of any and all crimes committed during any cruise. A safe environment on ships cannot be provided if only a few, if any, crimes are ever successfully prosecuted.

Since your committee has responsibility for the Coast Guard, I find it of interest that the various services provided by the Coast Guard to the cruise ship industry are paid for, not by the cruise lines as foreign corporations, but by the U.S. taxpayer. Therefore, we should demand that the necessary actions are taken to accomplish the various changes that need to be made.

The requirement to join International Cruise Victims as a victim is a price that no one would want to personally experience. ICV members have experienced the tragedy of either some type of sexual assault or mysteriously losing a loved one. Our goal is to hold the individuals committing such crimes accountable and hopefully save future individuals from the fate that we all personally suffered.

Your considerations of these matters are very much appreciated. You have truly been fair and balanced in your approach and now we hope you will agree with us that the time has come to stop playing the game with the cruise lines. Legislation now appears to be the only way to force cruise lines to be held accountable for the safety of their passengers.

Very sincerely yours,

Kendall Carver

